THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 10203 of 2007

Date:18-06-2007

Between:

Mohd.Jaffer Hussain ..
PETITIONER

AND

The State of A.P. rep. by its Principal Secretary,Hyderabad and five others.

..
RESPONDENTS

ORDER:

The petitioner seeks to issue a writ of mandamus to declare the action of the official respondents especially 5th respondent in not registering the complaint lodged by the petitioner on 14.03.2007 and calling upon the petitioner and his son to the police station daily and detaining there as illegal and arbitrary.

It is the case of the petitioner that with regard to the civil disputes that arose between the petitioner and the 6th respondent at the instance of the 6th respondent, the 5th respondent asking the petitioner to come to the police station and abusing him in filthy language by illegally detaining him from morning to evening. It is further stated that the petitioner gave telegram on 30.04.2007 to the Commissioner of Police alleging that the Sub-Inspector of Police and constable of 5th respondent came to his house and taken away his son, torturing him and trying to involve in a false case and the police having no role to play in civil cases, they are using third degree methods. It is stated that in spite of issuing telegram, the Commissioner of Police has not taken any action.

Learned Government Pleader for Home appearing for the respondents submits that on a complaint given by the petitioner against the 6th respondent, the F.I.R.No.54 of 2007, dated 07.06.2007 was registered by the Police Station, Kamatipura for the offences under Sections 448 and 506 I.P.C.

When a representation has been made by the petitioner making a specific allegation against the 5th respondent, I am of the opinion that it is just and proper to enquire into the matter and take appropriate action pursuant to the said allegation made by the petitioner against the police officials.

Having regard to the facts of the case, the 2nd respondent-Commissioner of Police, Hyderabad is directed to consider and take appropriate action on the written intimation made by the petitioner vide telegram, dated 30.04.2007 in accordance with law.

Accordingly, the writ petition is disposed of. No costs.

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V.ESWARAIAH, J.

Date:18.06.2007.
ccm